App F IX 1

Previous References (1941 hel) **File No.** 135-41

hel 135-41-3,11 **Serial Nos** 20

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

✓

Part B for May 42

SUBJECT

Municipal Commissioners resolution for amendment rule 7 chapter IV of the Rules & Bye-Laws

hel 31 5 42

6468
L

General and Revenue Secretariat — ME — File No 135 of 1941-42 — [App F III—2

Serial No

From the Pdt, Cof ME el, Mysore
No GP 2801/41 Dy 23-4-42
Forwards a copy of the resolution of
the ME el Dy 31-3-42 requesting
reconsideration of the orders of Govt
Vetoing the proposal for amending
Rule 7 chapter IV of the Rules & Bye laws
of the Mysore Cof Mes relating to
the delegation of the Powers of the Pdt
to Vice Pdt during his absence from
the ME limits etc,

1) The question was considered
in detail & the Pdt was intimated
in this office letter No 8789/ME
135-41-11 Dy 23-3-42 that the
resolution of the ME el cannot
be sanctioned etc,

2) Solicit for orders with the connected file

WB
5/5/42

~~The Dy Secretary of Govt~~

SR
5/5 3) The Mysore Cof ME el
request a reconsideration of the
orders of Govt declining to accept
their resolution to amend rule 7 of
the Rules & Bye laws of the Mysore Cof MES-
- Chapter IV they have now given
reasons as their intention in

P

Hdq P

NOTE—Contn Sheet

WD 04155—GPB—55,000—8 10 41

Amendment of Rule 7 chapter IV of the Rules of Bye laws. Imposition of mess 6468/L

File No 135 of 1941-42 General and Revenue Secretariat

Serial No

moving for the amendment of the rules in question.

4) The existing provisions of law and their advantages are mentioned in para 9 of the M file L35-41-3 put up below. Reasons also quoted to paras 10 to 13 of the notes thereon. The Tahsildar, for reasons mentioned, it is not necessary to reconsider the orders already passed

Law Secy) 1/5/42

SECY LAW DEPT 3945 61 1 1942 GOVT OF MYSORE

5 No reasons exist to reconsider the previous order

Minister 2/5

Hm 2 9/5/42

Law Secy 6 13/5/42

OFFICE OF THE MINISTER FOR L S G & P H Dat 9 5 1942 No 7042

Hm 2 13/5/42

Law Secy 13/5

Sorted with a draft letter for approval

14/5

Law Secy) 14/5

SECY LAW DEPT 4337 1 1 1942 GOVT OF MYSORE

7 As ordered by the Dewan in other cases, there also may be filed No reply may be sent

OFFICE OF THE MINISTER FOR L S G & P H Dt 18 5 1942 No 7275

Minister 2 L S G

Dewan 2

Hm 16/5/42

Law Secy 28/5/42

28/5

Hm 30/5/42 Law Secy 30/5/42

Serial No

NOTE—Cont Sheet

WD 041 5—GPB—5 000— 3 10 41

File No of 194

General and Revenue Secretariat

Serial No

6468/L

No Cr T 2601/41-42

Fncl

CITY MUNICIPAL COUNCIL MYSORE

Date 23rd April 1942

B S RAGHAVENDRA RAO, ESQ , M A (Hons)
~~M NAVANEETHAM NAIDU Esq Bar-at-Law~~
PRESIDENT CITY MUNICIPAL COUNCIL
MYSORE

To

ML/135-41-20

H V. Narayana Rao, Esq , B A ,LL B ,
Secretary to Government, Law Department,
Bangalore

SECY L DEPT
27 APR 1942
GOVT OF MYSORE

Re Municipal Council resolution passed for amending rule 7 Chapter IV of the Rules and Bye-laws

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With reference to your letter No L 8789/M1 135-41-11 dated 23rd March 1942 re the above, I have the honor to state that the letter was placed before the Municipal Council at their meeting held on 31st March 1942 when they passed the enclosed resolution I request you kindly to obtain orders of Government on the resolution

I have the honour to be,
Sir
Your most obedient servant,

PRESIDENT

KSR

730

MYSORE CITY MUNICIPALITY

Proceedings of the Ordinary General Meeting of the Mysore City Municipal Council held in the Municipal Office on Tuesday the 31st March 1942, at 4 p m

PRESENT

B S Raghavendra Rao Esq M A (Hons) *President*

2 P St m h Esq B A B L *Vice Pres d nt*
3 A Krishna Mu ty Esq
4 S Linganna Esq
5 Chowdiah Esq
6 M K Li g nna Esq B A LL B
7 A N Surjanaray n Rao Esq
8 Mrs B Kameswaramma B.A
9 Ag r m Rangi h Esq
10 B Na yan swamy Esq B A B L
11 T Ma iappa Esq B A LL B
12 M V Venkatar miah Esq
13 M S Nanjappa Esq
14 G R R ngaswamiah Esq
15 E P Nanjappa Esq
16 Dr A J Ram L M & S
17 G Janard n Naidu Esq
18 P tnam Sreenivas etty Esq
19 M R C B sapp Esq
20 T Venkatai amaniah Esq
21 T S Alikhan Esq
22 Mahomed Khalilulla E q M A LL B
23 H ji Mir Amiruddi Khu aichi Esq
24 B L M ridand h Esq
25 F C De ja U s Esq

ABSENT

26 U L Ramachandra Rao Esq
27 M C Mallappa Esq
28 T Narasimha Iyengar Esq B A B L
29 N Rajagopala Iyengar Esq B A B L
30 S A Kareem Esq
31 *Vac nt*

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730 Letter No L 8789/M1 135-41-11 dated 23rd March 1942 from the Secretary to Government Law Department intimating that Government cannot sanction the Resolution No 537 dated 9-2-1942 of the Municipal Council requiring amendment of rule 7 Chapter IV of the Rules and Bye-laws of the C i t y Municipality

Recorded with the following observation -

The Government be requested to kindly reconsider the matter in the light of the following observations and accord their kind approval to the proposed amendment of the rule in question

Amendment to Rule 7 Chapter IV

This is a rule framed when section 25 of the old Regulation of 1906 was in force and at a time when the Mysore City Municipal Council had a paid full time Vice-President who was a regular subordinate officer and an Assistant to the President under the present act Under Section 26 (2) (b) it shall be the duty of the Vice-President to exercise the powers and perform the duties of the President during the absence of the President on leave Under this provision of Law the President before going on leave cannot pass a legally valid memo asking some one else to be in charge of current duties when he should go on leave

It must be the same order, if the spirit of this provision of law is rightly understood and the Vice-President should automatically be able to exercise the powers and perform the duties of the President when the President is absent from the Municipal limits Under the existing rule there is a chance of the President using his discretion against the spirit of the act This amendment of the rule is to prevent such instances It would certainly be anomalous if somebody else is to exercise the powers when the President is absent when the act says that Vice-President is to exercise the powers when the President should go with permission i e on leave

This amendment is not in any way contrary to the provisions of the act The Government will kindly point out how and in what respect this amendment is contrary to the Provisions of the act

The Government may therefore be pleased to accord their kind approval to this amendment

Proposed by Mr T Mariappa

Seconded by Mr B Narayanaswamy

Copy

B Rajashavendra Rao

Pres Devt